

EXHIBIT E

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Drew J. Ribar,
Plaintiff,

v.

State of Nevada ex rel. Nevada Department of Corrections, Carson City, et al.,
Defendants.

Case No. 3:24-cv-00103-ART-CLB

EXHIBIT E – Deputy Sean Palamar Towing Discussion Footage

Filed in Support of Amended Complaint and Summary Judgment Motion (Fed. R. Civ. P. 56)

Plaintiff Drew J. Ribar, pro se, submits Exhibit E, video footage of Deputy Sean Palamar ordering the non-consensual tow of Plaintiff's truck and discussing it with a tow truck driver on August 30, 2022, obtained via discovery in Case No. 22 CR 01231 IC (dismissed). Filed on USB per LR IC 2-2 with a Notice of Manual Filing, this exhibit supports Plaintiff's claims and Rule 56 motion.

Key Evidence and Legal Violations

PLEADING TITLE - 1

Timestamp	Incident	Legal Relevance	Cross-Reference
0:01:04–	Tow truck driver:	Violates Fourth Amendment seizure (<i>Soldal v.</i>	Exhibit D
0:01:10	“When the NTA finds out about	<i>Cook County</i> , 506 U.S. 56, 1992); Fourteenth	
	this, he will	Amendment due process (<i>Mathews v. Eldridge</i> ,	
	probably get his	424 U.S. 319, 1976; <i>Parratt v. Taylor</i> , 451 U.S.	
	license revoked.”	527, 1981); NRS 205.2715 (unlawful taking or	Exhibit C
	operation); tortious interference.		
	Demonstrates First Amendment retaliation		
	Deputy Palamar: “I	(<i>Fordyce v. Seattle</i> , 55 F.3d 436, 9th Cir. 1995;	
0:01:20–	don’t know if our,	<i>Board of County Comm’rs v. Umbehr</i> , 518 U.S.	Exhibit C
0:01:25	my bosses are	668, 1996; <i>Nieves v. Bartlett</i> , 139 S. Ct. 1715,	
	going to have	2019); Fourteenth Amendment economic liberty	
	much appetite	(<i>Meyer v. Nebraska</i> , 262 U.S. 390, 1923); <i>Monell</i>	
	keeping a guy.”	<i>v. Dep’t of Soc. Servs.</i> , 436 U.S. 658, 1978); NRS	Exhibit C
		197.200 (oppression); defamation/trade libel.	

Legal Claims Supported

- **First Amendment (42 U.S.C. § 1983):** Retaliation for recording by targeting Plaintiff’s towing rotation status (*Fordyce, Umbehr, Glik v. Cunniffe*, 655 F.3d 78 (1st Cir. 2011); *Irizarry v. Yehia*, 38 F.4th 1282 (10th Cir. 2022); *Nieves*; NRS 171.1233).

- 1 • **Fourth Amendment (42 U.S.C. § 1983):** Unlawful seizure of truck without warrant or
2 exigency (*Soldal*).
- 3 • **Fourteenth Amendment (42 U.S.C. § 1983):** Procedural due process violation via tow
4 and threats without notice (*Mathews, Parratt*); substantive due process via economic
5 harm (*Meyer, County of Sacramento v. Lewis*, 523 U.S. 833, 1998).
- 6 • **Municipal Liability (42 U.S.C. § 1983):** Sheriff's policy/custom of retaliation implied
7 by "my bosses" (0:01:20; *Monell*).
- 8 • **State Law Claims:** Unlawful taking or operation (NRS 205.2715), oppression under
9 color of law (NRS 197.200), intentional interference with prospective economic
10 advantage, defamation/trade libel (28 U.S.C. § 1367).
- 11
- 12
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14 **Summary Judgment Purpose (Fed. R. Civ. P. 56)**

15 These undisputed facts—non-consensual tow (Exhibit D, 0:06:32.625), license revocation threat
16 (0:01:04), rotation termination threat (0:01:20)—violate clearly established law (*Fordyce, Soldal*,
17 *Mathews*). Linked to Plaintiff's recording (Exhibit C, 0:05:43–0:05:51), they demonstrate
18 retaliatory intent and agency policy (*Monell*), establishing no genuine dispute of material fact
19 and entitling Plaintiff to judgment as a matter of law.
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25 **Qualified Immunity Defeat**

1 Deputy Palamar's conduct contravenes clearly established rights under *Pearson v. Callahan*, 555
2 U.S. 223 (2009):

- 3
- 4 • **Violation:** Recording retaliation (*Fordyce, Glik, Irizarry, Nieves, Umbehr*), seizure
5 (*Soldal*), due process (*Mathews, Parratt*).
- 6
- 7 • **Clearly Established:** Rights were well-defined in 2022 (*Fordyce* 1995, *Soldal* 1992,
8 *Umbehr* 1996).
- 9

10 The tow (0:01:04) and threats (0:01:20) show objective unreasonableness (*Kingsley v.*
11 *Hendrickson*, 576 U.S. 389, 2015), not negligence. "Safety" or "need" defenses fail against
12 *Soldal's* warrant requirement, *Mathews's* notice mandate, and *Nieves's* retaliation bar (*Harlow v.*
13 *Fitzgerald*, 457 U.S. 800, 1982).

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17 **Authentication**

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19 Per Fed. R. Evid. 901, I, Drew J. Ribar, declare under penalty of perjury this footage accurately
20 depicts Deputy Sean Palamar's tow arrangement and discussion on August 30, 2022.

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22 **Dated: March 27, 2025**

23 **/s/ Drew J. Ribar**

24 **Drew J. Ribar**

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28 PLEADING TITLE - 4